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Atty. Dkt. No. 035879-0165

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Thomas E. WAGNER *et al.*  
Title: AAV ITR-MEDIATED MODULATION  
Appl. No.: 10/669,641  
Filing Date: 9/25/2003  
Examiner: Celine X. Qian  
Art Unit: 1636  
Confirmation No.: 4465

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	59	-	59	=	0	x	\$50.00	=	\$0.00
Independent Claims:	5	-	5	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									\$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$0.00

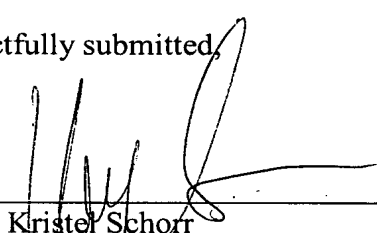
If any extensions of time are needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date April 26, 2007  
 FOLEY & LARDNER LLP  
 Customer Number: 22428  
 Telephone: (202) 672-5574  
 Facsimile: (202) 672-5399

Respectfully submitted,

By

  
 Kristel Schorr  
 Attorney for Applicants  
 Registration No. 55,600



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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**UNDER 37 CFR 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Notice of Non-Compliant Amendment dated April 20, 2007, concerning the above-referenced patent application, which referred to Applicants' December 22, 2006, Reply to the Non-Final Office Action dated August 24, 2006, concerning the above-referenced patent application. Accordingly, Applicants provide herewith the claims showing the correct status identifiers

**Amendments to the claims** begins on page 2 of this document.

**Remarks/Arguments** begin on page 9 of this document.